

Death With Dignity

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The California End of Life Option Act went into effect on June 9, 2016. This law allows a terminally-ill adult, California resident to request a drug from his or her physician that will end his or her life. People who choose to end their lives this way, and who carefully follow the steps in the law, will not be considered to have committed suicide. Physicians who prescribe the aid-in-dying drug and follow all the steps of the law, will not be subject to legal liability or professional sanction. Participating in this end-of-life option is voluntary for both patients and physicians.

WHO CAN USE THIS OPTION?

To receive the aid-in-dying drug, a person must:

- Be 18 years or older and a resident of California
- Have a terminal disease that cannot be cured or reversed and that is expected to result in death within six months
- Have capacity to make medical decisions and not have impaired judgment due to a mental disorder
- Have the physical ability to take and ingest the drug

HOW DOES A PATIENT OBTAIN AID IN DYING?

In brief, the steps that the patient and physician must complete are as follows:

- Patient must make three requests for the aid-in-dying drug to his or her attending physician – two orally (at least 15 days apart) and one in writing on a special form that is witnessed.
- Attending physician must be willing to prescribe an aid-in-dying drug and must make sure the patient legally qualifies.
- Attending physician must explain all end-of-life options to patient, encourage patient-family discussion and review what it means to ingest an aid-in-dying drug.
- Patient must discuss the decision with his/her physician without anyone else present (except an interpreter, if needed) to make sure the decision is voluntary.

- The patient must see a consulting physician who confirms the terminal diagnosis and that the patient is qualified to receive an aid-in-dying drug according to the law.
- If the patient has a mental disorder, he/she must be evaluated by a mental-health specialist to make sure his/her judgment is not impaired.
- Before writing the aid-in-dying drug prescription, the physician must discuss with the patient how to store and administer the drug; patient is given a chance to withdraw his/her request; patient is encouraged to enroll in hospice; and the patient signs consent form for the prescription to be sent to the pharmacy.
- The patient or another a designated person retrieves the aid-in-dying drug from the pharmacy, receives additional education on drug usage and stores it appropriately until used.
- After signing an attestation, the patient ingests the drug according to the instructions; the drug must be ingested while in a private place with another person present.
- Any unused drug is disposed of appropriately.